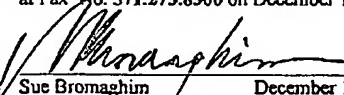


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at Fax No. 571.273.8300 on December 15, 2006.	
	
Sue Bromaghin	December 15, 2006

Attorney Docket No. 10002-701.409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Inventor: Mark A. Reiley
Application No.: 10/658,089
Filed: September 9, 2003
Title: **FACET ARTHROPLASTY DEVICES
AND METHODS**

Confirmation No.: 1396
Examiner: David J. Isabella
Group Art Unit: 3738
Customer No. 66854

TRANSMITTAL OF RESPONSE TO OFFICE ACTION

M/S Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:


Transmitted herewith are the following documents in the above-identified application:

- (X) This Transmittal Letter;
- (X) Response to Office Action, for which no fee is due.

☒ Please charge any fee deficit for this paper to Deposit Account No. 50-4050.

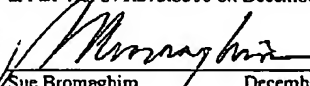
Respectfully submitted,

Dated: December 15, 2006


James R. Shay, Reg. No. 32,062

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Sue Bromaghin	December 15, 2006

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RESPONSE TO OFFICE ACTION DATED SEPTEMBER 18, 2006

M/S Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

This communication is in response to the Office Action dated September 18, 2006. The shortened statutory period for response expires on December 18, 2006. The Response is submitted prior to shortened statutory period for reply, therefore no extension fee is required to enter this Response.

Prior to reconsidering this application on the merits, please amend the application as follows:

The **Claim Listing** begins on page 2 of this paper.

Applicant Remarks begin on page 9 of this paper.

Attorney Docket 10002-701.409 - 1 of 13 -